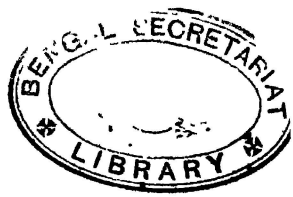
Attested Copy



A COLLECTION OF THE ACTS

PASSED BY THE

LIEUT.-GOVERNOR OF BENGAL IN COUNCIL

IN THE YEAR 1889.

Published by authority.

CALCUTTA:

PRINTED AT THE BENGAL SECRETARIAT PRESS.

1890.

Price two annas.

TITLES OF ACTS

PASSED BY THE

LIEUT.-GOVERNOR OF BENGAL IN COUNCIL

IN THE

YEAR 1889.

1. An Act to provide for the sanitation of Emigrants during their passage through Bengal to the labour-districts in Assam.
2. for the protection of the right of fishing in private waters.
3. to enable the Commissioners for making Improvements in the Port of Calcutta to lend the Corporation of Calcutta a sum of money.
4. to provide for the appointment of a Mahommedan Burial Board in Calcutta, and to make better provision for the interment of persons other than Christians or Mahommedans.

BENGAL SECRETARIAT LIBRARY

INDEX

TO THE

ACTS PASSED BY THE LIEUT.-GOVERNOR OF BENGAL IN COUNCIL

IN THE

YEAR 1889.

	Act.	Section.
ACCOMMODATION. See *Emigrants.*		
ACCOUNTS: of receipts and expenditure, to be submitted to Local Government	IV	11
ACT: rules may be made for giving effect to purposes of,	I IV	3 (*k*) 13 (*e*)
AGENT (s): defined	I	2
rules may be made regarding mode of discharge of liabilities by, ...	„	3 (*j*)
ASSENT. See *Governor-General.*		
AUTHORITIES: by whom powers of entry and inspection should be exercised, rules may be made defining, ...	„	3 (*i*)
BREACH OF RULES. See *Prosecution.*		
BURIAL BOARD. See *Mahommedan Burial Board.*		
BURIAL-GROUND(S): withdrawal of, from superintendence, &c., of Burial Board	IV	10
Burial Board to receive fees in respect of, ...	„	11
rules may be made regarding manner, &c., of execution of works in, ...	„	13 (*d*)
See *Interments.*		
CALCUTTA GAZETTE: Act to come into force on publication in,	I III IV	1 (3) 1 1
appointment of Mahommedan Burial Board may be made by notification in, ...	„	3
order placing other public Mahommedan burial-grounds under superintendence, &c., of Board to be published in, ...	„	7
rules made, altered or revoked to be published in, ...	„	13 (3)

	Act.	Section.
CENTRAL ROAD Act, 1889	III	
CENTRAL ROAD: money lent to Calcutta Corporation to be devoted towards payment of interest on loan raised for construction of, ...	„	2
CHAIRMAN: of Calcutta Corporation, to be member of Burial Board	IV	4
to be *ex-officio* Chairman of Burial Board	„	5
CHARGES: in respect of superintendence, &c., of burial-grounds how to be met	„	11
CHOTA GOBRA GORASTAN: may be placed under superintendence, &c., of Burial Board constituted by Local Government	„	14
placed under superintendence, &c., of Board constituted by Local Government, schedule of, ...	„	*Second Sch.*
CLERKS: appointment and removal of, ...	„	12
CLOTHING: to be supplied to emigrants, &c., rules may be made regarding, ...	I	3 (*f*)
COGNIZABLE OFFENCES: offences committed under Act to be considered, ...	II	6
COMMENCEMENT OF ACT	I	1 (3)
	III	1
	IV	1
COMMISSIONERS OF PORT OF CALCUTTA: power of, to lend Calcutta Corporation Rs. 2,00,000 for payment of interest on loan raised for construction of Central Road	III	2
CONTINUING BREACH: of rules, penalty for, ...	I	3 (2)
COOKING. See *Proper Cooking.*		
CORPORATION OF CALCUTTA. See *Chairman.*		
DAILY MARCHES: of emigrants, &c., rules may be made regarding length of, ...	„	3 (*c*)
DEAD-BODIES: of emigrants, &c., rules may be made for disposal of, ...	„	3 (*h*)
DEFINITION. See *Interpretation of Terms.*		
DEPENDENT(S): defined	„	2
See *Emigrants.*		
DEPÔTS: rules may be made for sanitation and superintendence of, ...	„	3 (*b*)
EMIGRANT(S): defined	„	2

	Act.	Section.
and their dependants, rules may be made for accommodation of, ...	„	3 (*b*)
suffering from sickness, rules may be made for carriage of, ...	I	3 (*c*)
See *Inland Emigrants' Health Act*, 1889.		
EMIGRATE: defined	„	2
ENTRY: rules may be made respecting powers of, ...	„	3 (*i*)
upon land in possession of another or upon private waters, penalty for, ...	II	5
EXPENSES: in respect of superintendence, &c., of burial-grounds how to be met	IV	11
EXTENT OF ACT	I	1 (2)
FISH: defined	II	2
if taken by fixed engine without permission to be forfeited	„	4 (1)
FISHERY. See *Private Fisheries Protection Act*, 1889.		
FIXED ENGINE: defined	„	2
in private waters, penalty for erecting, &c. . .	„	3 (*b*)
if erected, &c., without permission to be forfeited ...	„	4 (1)
may be removed or taken possession of by Magistrate, &c.	„	„ (2)
FOOD: supplied to emigrants, &c., rules may be made regarding,	I	3 (*d*)
See *Proper Cooking*.		
GOVERNOR-GENERAL: Act to come into force on publication with assent of, ...	„ III IV	1 (*g*) 1 1
GRAVES: fees for digging of, Burial Board to receive ...	„	11
HEALTH OFFICER: of Calcutta, to be member of Burial Board	„	4
HOSPITAL ACCOMMODATION: for emigrants, &c., rules may be made regarding, ...	I	3 (*g*)
INLAND EMIGRANTS' HEALTH ACT, 1889	„	
INSPECTION: rules may be made respecting powers of, ...	„	3 (*i*)
INTEREST: on public money, rate of, ...	„	3 (*g*)
INTERMENTS: in burial-grounds, rules may be made regulating scale and mode of payment of fees, &c., in respect of, ...	IV	13 (*c*)
INTERPRETATION OF TERMS	I II IV	2 2 2

	Act.	Section.
JOURNEY: of emigrants, &c., rules may be made for facilitating, ...	I	3 (*c*)
LABOUR-DISTRICTS: defined	I	2
LOCAL GOVERNMENT: power of, to make rules for protection of health of emigrants	,,	3 (1)
may direct penalties for breach of rules	,,	,, (2)
to sanction period for which money may be lent to Calcutta Corporation	III	2
may appoint Mahommedan Burial Board for Calcutta...	IV	3
may appoint members for Burial Board	,,	4 (1)
may relieve member of Board of his functions ...	,,	,, (2)
may place other public Mahommedan burial-grounds under superintendence, &c., of Board	,,	7
transfer of superintendence, &c., of private burial-grounds may be made with sanction of, ...	,,	8
land may be purchased for extending public burial-grounds with sanction of, ...	,,	9
may withdraw burial-ground from superintendence, &c., of Board	,,	10
to direct form and manner of accounts of receipts and expenditure	,,	11
to provide for control of burial-grounds used by other than Christians or Mahommedans	,,	14
MAGISTRATE OF DISTRICT: may remove or take possession of fixed engine if erected, &c., without permission ...	II	4 (2)
MAHOMMEDAN BURIAL BOARD'S ACT, 1839	IV	
MAHOMMEDAN BURIAL-BOARD: appointment of, ...	,,	3
constitution of, ...	,,	4
not to exercise control over burial-grounds set apart for persons other than Mahommedans	,,	6 *prov.*
to exercise control, &c., over public burial-grounds ...	,,	6 & 7
superintendence, &c., of private Mahommedan burial-ground may be transferred to, ...	,,	8 (1)
may purchase land for extend ing burial-ground, &c. ...	,,	9
to receive and account for fees and grants	,,	11
may appoint subordinate establishment	,,	12
power of, to make rules	,,	13
constitution of, for superintendence, &c., of public burial-grounds used by persons other than Christians or Mahommedans	,,	14
MEDICAL TREATMENT: of emigrants, &c., rules may be made for, ...	I	3 (*g*)
MEETINGS: of Board, rules may be made regarding time and procedure of, ...	IV	13 (*a*)
MONUMENTS: fees for erection of, Burial Board to receive ...	,,	11
rules may be made for preservation, &c., of, ..	,,	13 (*b*)
See *New Monuments.*		

	Act.	Section.
NAVIGABLE RIVER: persons not to be prevented from angling with rod or line, &c., in, ...	II	3 (*b*) *prov.*
NEW MONUMENTS: rules may be made for regulating dimensions of, ...	IV	13 (*b*)
NEW PUBLIC BURIAL-GROUND: Burial Board may purchase land for forming, ...	,,	9
NOTIFICATION. See *Calcutta Gazette.*		
OFFENCE. See *Subsequent Offence; Cognizable Offences.*		
OVERSEERS: appointment and removal of, ...	,,	12
PARTIES: in which emigrants, &c., should travel, rules may be made regarding mode and numerical strength of, ...	I	3 (*c*)
PENALTY(IES): for breach of rules	,,	3 (2)
for fishing in private waters	II	3 (*a*)
erecting, &c., fixed engine in private waters ...	,,	,, (*b*)
entry upon land in possession of another or upon private waters	,,	5
PERSONS: acting in *bonâ fide* belief not to be punished for fishing in private waters, &c.	,,	3 (*b*) *prov.*
PORT COMMISSIONERS. See *Commissioners of Port of Calcutta.*		
PRIVATE FISHERIES PROTECTION ACT, 1889	,,	
PRIVATE MAHOMMEDAN BURIAL-GROUND: superintendence, &c., of, may be transferred to Board...	IV	8 (1)
to be managed as public burial-ground on transfer being effected...	,,	,, (2)
PRIVATE WATERS: defined	II	2
penalty for fishing in, ...	,,	3 (*a*)
See *Entry.*		
PROPER COOKING: of food, rules may be made for, ...	I	3 (*d*)
PROSECUTION: for breach of rules, not to be barred where breach has already been punished	,,	3 (4)
PUBLIC MAHOMMEDAN BURIAL-GROUNDS: defined ...	IV	2
superintendence, &c., of, to be exercised by Board ...	,,	6
Burial Board may purchase land for extending, ...	,,	9
excluded from control of Burial Board may be placed under Board constituted by Local Government	,,	14
placed under superintendence, &c., of Board, schedule of, ...	,,	*First Sch.*
PUBLIC MONEY: mode of recovery of, on default of agent to comply with certain rules	I	3 (3)

	Act.	Section.
PUBLIC WORKS DEPARTMENT: an officer of, to be member of Burial Board	IV	4
REST-HOUSES: rules may be made for sanitation and superintendence of, ...	I	3(*b*)
ROUTES: by which emigrants, &c., should travel, rules may be made defining, ...	„	3(*a*)
RULES: may be made for protection of health of emigrants ...	„	3 (1)
penalties for breach of, ...	„	„ (2)
power of Burial Board to make, ...	IV	13 (1)
may be altered or revoked	„	„ (2)
made, altered or revoked, to be published in *Calcutta Gazette*	„	„ (3)
See *Continuing Breach.*		
SANITATION OF EMIGRANTS. See *Inland Emigrants' Health Act*, 1889.		
SERVANTS: appointment and removal of, ...	„	12
SHORT TITLE OF ACT	I	1(1)
	II	1
SUBORDINATE OFFICERS: appointment and removal of, ...	IV	12
SUBSEQUENT OFFENCE: penalty for, ...	II	3 (*b*)
WATER-SUPPLY: for use of emigrants, &c., rules may be made regarding, ...	I	3(*c*)
WITHDRAWAL. See *Burial-Grounds.*		
WOMEN: and their dependants suffering from sickness, rules may be made for carriage of, ...	„	3(*c*)

C. A. P.—Reg. No. 939J—2,000—27-6-90.

BENGAL SECRETARIAT LIBRARY

ACT No I of 1889.

PASSED BY THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL

(*Received the assent of the Lieutenant-Governor on the 22nd April*, 1889 *and of the Governor-General on the 7th May*, 1889.)

An Act to provide for the sanitation of Emigrants during their passage through Bengal to the labour-districts in Assam.

Preamble.

WHEREAS it is provided in section seven of the Inland Emigration Act, 1882, that, subject to the provisions of section five of that Act, nothing in the Act is to be deemed to prohibit any native of India from emigrating to any of the labour districts otherwise than under the provisions of the Act;

And whereas natives of India emigrate in large numbers to the labour-districts otherwise than under those provisions;

And whereas in the territories administered by the Lieutenant-Governor of Bengal great sickness and mortality have occurred among such emigrants on their way to the labour-districts:

It is hereby enacted as follows:—

Short title, extent and commencement of Act.

1. This Act may be called the "Inland Emigrants' Health Act, 1889."

(2) It extends to the whole of the territories administered by the Lieutenant-Governor of Bengal, and

(3) It shall come into force on the day on which it is published in the *Calcutta Gazette* with the assent of the Governor-General.

Price six pies.

2. In this Act, unless there is something repugnant in the subject or context,— Definitions.

"Agent" means a person who engages or assists a native of India to emigrate otherwise than under the provisions of the Inland Emigration Act, 1882. "Agent."

"Dependent" means any woman (not being herself an emigrant), child, or aged or incapacitated relative or friend, accompanying an emigrant with the consent of the agent. "Dependent."

"Emigrant" means a native of India engaged or assisted by an agent so to emigrate. "Emigrant."

"Emigrate" denotes the departure of any native of India of the age of sixteen years or upwards (other than a native of any of the labour-districts) from any part of India for the purpose of labouring for hire in any of the labour-districts otherwise than as a domestic servant. "Emigrate."

"Labour-districts" means the districts of Lakhimpur, Sibságar, Nowgong, Darrang, Kámrúp, Goálpára, Khási Hills, Cachar and Sylhet in the Chief Commissionership of Assam. "Labour-districts."

3. The Local Government may from time to time make rules with respect to any of the following matters, namely— Power to make rules for protection in Bengal of the health of emigrants on their way to Assam.

(*a*) the routes by which emigrants and their dependents are to travel on their way to any of the labour districts;

(*b*) the depôts and rest-houses to be provided by, and at the cost of, agents for the accommodation of emigrants and their dependents on or off such routes, and the sanitation and superintendence of such depôts and rest-houses;

(*c*) the mode, and the numerical strength of the parties in which emigrants and their dependents are to travel, the arrangements to be made by, and at the cost of, agents for facilitating their journey, the length of their daily marches by road, and the provision to be made by, and at the cost of, agents for the carriage of women and dependents and of emigrants suffering from sickness;

(*d*) the food to be supplied to emigrants and their dependents by, and at the cost of, agents, and the provision to be made by, and at the cost of, agents for the proper cooking of such food;

(*e*) the water-supply to be maintained by, or at the cost of, agents for the use of emigrants and their dependents;

(*f*) the clothing to be supplied to emigrants and their dependents by, and at the cost of, agents;

(*g*) the hospital accommodation, medical treatment and maintenance to be provided by, or at the cost of, agents for emigrants or their dependents suffering from sickness on their way to any of the labour districts, and the arrangements to be so made, and maintenance so provided, for any emigrant and his dependents where either he or any of them is so suffering;

(*h*) the disposal of dead bodies of emigrants and their dependents at the cost of agents;

(*i*) the powers of entry and inspection which may be exercised for the purposes of any rule under this section, and the authorities by whom those powers may be exercised;

(*j*) the mode of compelling agents to discharge their liabilities under any rule under this section, and

(*k*) generally the giving effect to the purposes of this Act.

(2) In making any rule under this section, the Local Government may direct that a breach of it shall be punishable with fine which may extend to five hundred rupees, and, when the breach is a continuing breach, with a further fine which may extend to fifty rupees for every day after the first during which the breach continues.

(3). If a rule under this section authorises an officer of the Government to expend any public money in the event of default on the part of an agent to comply with any rule under that section, the money, together with simple interest thereon at the rate of six per cent. yearly, shall be recoverable from the agent under the provisions of the Public Demands Recovery Act, 1880.

(4). Nothing in the last preceding clause shall be construed to bar a prosecution for any breach of a rule where the breach thereof has been made punishable in pursuance of the power conferred by clause (2) of this section.

W. F. A.—Reg. No 230G—2,500—15-5-89.

ACT No. II of 1889.

PASSED BY THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

(*Received the assent of the Lieutenant-Governor on the 15th May* 1889, *and of the Governor-General on the 15th June*, 1889.)

An Act for the protection of the right of fishing in private waters.

ARRANGEMENT OF SECTIONS.

SECTIONS.

1. Short title.
2. Interpretation clause.
   Definitions of—
   "Fish."
   "Fixed engine."
   "Private waters."
3. Penalties.
4. Forfeiture of obstructions.
   Removal of obstructions.
5. Entry upon the land of another or upon private waters with intent to commit an offence.
6. Offences under this Act considered "cognizable offences."

Price six pies.

BENGAL SECRETARIAT LIBRARY

ACT No. II OF 1889.

An Act for the protection of the right of fishing in private waters.

Preamble.

WHEREAS it is expedient to provide for the protection of private rights of fishery: It is hereby enacted as follows:—

Short title.

1. This Act may be called the "Private Fisheries Protection Act, 1889."

Interpretation clause.

2. In this Act—

"Fish."

"Fish" includes shell fish and turtles.

"Fixed engine."

"Fixed engine" means any net, cage, trap, or other contrivance for taking fish, fixed in the soil or made stationary in any other way.

"Private waters."

"Private waters" means waters—

(*a*) which are the exclusive property of any person; or

(*b*) in which any person has an exclusive right of fishery, and in which fish are not confined but have means of ingress or egress.

Penalties.

3. Any person who—

(*a*) fishes in any private waters not having a right to fish therein:

(*b*) erects, places, maintains or uses any fixed engine in private waters, or puts, or knowingly permits to be put therein, any matter for the purpose of catching or destroying fish without the permission of the person to whom the right of fishery therein belongs:

shall be guilty of an offence, and shall be punished for a first offence with a fine not exceeding fifty rupees;

and for a subsequent offence with imprisonment, which may be simple or rigorous, for a term not exceeding one month, or with a fine not exceeding two hundred rupees, or both:

Provided that nothing herein contained shall apply to acts done by any person in the exercise of a *bonâ fide* claim of right, or shall prevent any person from angling with a rod and line, or with a line only in any portion of a navigable river.

4. Any fixed engine erected, placed, maintained, or used in contravention of the last preceding section, and any fish taken by means of such engine, or otherwise in contravention of this Act, shall be forfeited.

Forfeiture of fixed engines.

(2) And such fixed engine may be removed or taken possession of by the Magistrate of the district, or such person as he empowers in this behalf.

Removal of fixed engine.

5. Whoever enters upon land in the possession of another or upon private waters with intent to commit any of the offences specified in section three, shall be punished with a fine not exceeding fifty rupees.

Entry upon the land of another or upon private waters with intent to commit an offence.

6. Offences committed under this Act shall be considered to be "cognizable offences" as defined in the Code of Criminal Procedure.

Offences under this Act considered "cognizable offences"

E. J. H.—Reg. No. 382G—2,500—28-6-89.

ACT No. III OF 1889.

PASSED BY THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

(*Received the assent of the Lieutenant-Governor on the 6th July, 1889, and of the Governor-General on the 31st July, 1889.*)

An Act to enable the Commissioners for making Improvements in the Port of Calcutta to lend the Corporation of Calcutta a sum of money.

Preamble.

WHEREAS it is expedient that a street should be constructed by the Corporation of Calcutta connecting the Howrah Bridge with the Sealdah Railway Station;

And whereas it is deemed expedient to empower the Commissioners for making Improvements in the Port of Calcutta to lend out of the Reserve Fund constituted under the Howrah Bridge Act, 1871, without interest, repayable within three years, the sum of Rs. 2,00,000 for the purpose of enabling the said Corporation to meet the interest as it falls due on a loan to be raised by the said Corporation for the construction of such street:

It is hereby enacted as follows:—

Commencement of Act.

1. This Act shall come into force on the date on which it is published in the *Calcutta Gazette* with the assent of the Governor-General.

Power of Port Commissioners to lend Corporation of Calcutta a sum not exceeding Rs. 2,00,000 towards defraying interest payable on a loan to be raised by the Corporation for constructing a street connecting Howrah Bridge with Sealdah Railway station.

2. Notwithstanding anything in the said Howrah Bridge Act contained, it shall be lawful for the Commissioners for making Improvements in the Port of Calcutta out of the sum now accumulated as a Reserve Fund under the provisions of the Howrah Bridge Act, 1871, to lend to the Corporation of Calcutta, incorporated under Bengal Act II of 1888, the sum of Rs. 2,00,000 without interest for such period, not exceeding three years, as the Local Government may sanction; such sum to be devoted to the payment of interest on a loan to be raised by the said Corporation for the construction of a street connecting the Howrah Bridge with the Sealdah Railway Station.

R. D'R.—Reg. No. 449G—2,000—15-8-89.

Price six pies.

BENGAL SECRETARIAT LIBRARY

ACT No. IV OF 1889.

PASSED BY THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

(*Received the assent of the Lieutenant-Governor on the 15th July* 1889, *and of the Governor-General on the 2nd September* 1889.)

An Act to provide for the appointment of a Muhammadan Burial Board in Calcutta, and to make better provision for the interment of persons other than Christians or Muhammadans.

ARRANGEMENT OF SECTIONS.

SECTIONS.

1. Commencement of Act.
2. Definition of "Public Muhammadan burial-ground."
3. Local Government may appoint a Burial Board.
4. Constitution of Board.
5. Chairman of Calcutta Corporation to be *ex-officio* Chairman of Board.
6. Superintendence, management or control of public Muhammadan burial-grounds enumerated in the First Schedule to be exercised by Board.
7. Local Government may place other public Muhammadan burial-grounds under superintendence, management, or control of Board
8. Provision for making over private burial-grounds to charge of Board.
9. Power in Board to create new burial-grounds or extend those already in existence by purchase of land.
10. Power to withdraw burial-grounds from superintendence, management, or control of Board.
11. Board to receive and account for fees and grants.
12. Board may appoint subordinate establishment.
13. Power to make rules.
14. Power to provide for control of burial-grounds used by other than Christians or Muhammadans.

Price 2 annas.

ACT No. IV OF 1889.

An Act to provide for the appointment of a Muhammadan Burial Board in Calcutta, and to make better provision for the interment of persons other than Christians or Muhammadans.

Preamble.

WHEREAS it is expedient to make better provision for the superintendence, management or control of the Muhammadan burial-grounds, and for the interment of persons other than Christians or Muhammadans, in Calcutta as defined in the "Calcutta Municipal Consolidation Act of 1888:"

It is hereby enacted as follows:—

Commencement of Act.

1. This Act shall come into force from the date on which it may be published in the *Calcutta Gazette* with the assent of the Governor-General.

Definition of "Public Muhammadan burial ground."

2. In this Act "Public Muhammadan burial-ground" includes those Muhammadan burial-grounds enumerated in the First Schedule, and any others in which Muhammadans generally of any particular sect are in the habit of burying their dead.

Local Government may appoint a Burial Board.

3. The Local Government may, by a notification published in the *Calcutta Gazette*, appoint a Muhammadan Burial Board for Calcutta.

Constitution of Board.

4. The Board shall be constituted as follows:—

The Chairman for the time being of the Corporation of Calcutta;

The Health officer for the time being of Calcutta;

An officer of the Public Works Department appointed by the Local Government:

And not less than six, or more than nine, other members who shall be Muhammadans appointed by the Local Government.

(2) The Local Government may, from time to time, relieve any member of the Board appointed by it of his functions as such member.

Chairman of Calcutta Corporation to be *ex-officio* Chairman of Board.

5. The Chairman of the Corporation of Calcutta shall *ex-officio* be Chairman of the Board.

Superintendence, management, or control of public Muhammadan burial-grounds enumerated in the First Schedule to be exercised by Board.

6. The superintendence, management, or control of the public Muhammadan burial-grounds enumerated in the First Schedule shall, subject to the provisions of this Act, be exercised by the Board:

Provided that the Muhammadan Burial Board shall not exercise control over such portion of any public Muhammadan burial-ground as the Local Government may declare to have been hitherto set apart for the burial of persons other than Muhammadans.

Local Government may place other public Muhammadan burial-grounds under superintendence, management, or control of Board.

7. The Local Government may, by an order published in the *Calcutta Gazette*, from time to time, place any other public Muhammadan burial-ground in Calcutta or its vicinity under the superintendence, management, or control of the Board.

Provision for making over private burial-grounds to charge of Board.

8. The superintendence, management, or control of any Muhammadan burial-ground situate in, or in the vicinity of Calcutta may, with the sanction of the Local Government, be transferred by the owner or custodian thereof to the Board upon such terms as may be arranged between the Board and such owner or custodian.

(2) And such burial-ground shall thereupon be managed in all respects as a public Muhammadan burial-ground subject to the provisions of this Act.

Power in Board to create new burial-grounds or extend those already in existence by purchase of land.

9. The Board may, with the sanction of the Local Government purchase any land in, or in the vicinity of, Calcutta, whether previously used as a burial-ground or not, with the object of extending any public burial-ground under its charge or of forming a new public burial-ground.

Power to withdraw burial-grounds from superintendence, management, or control of Board.

10. The Local Government may, in its discretion at any time, withdraw any burial-ground from the superintendence, management, or control of the Board.

Board to receive and account for fees and grants.

11. The Board shall receive all fees and other moneys paid or given in respect of the use of such burial-grounds, the digging of graves, and the erection of monuments therein, and such grants as the Local Government may, from time to time, place at their disposal; and shall pay thereout all charges and expenses incurred by them in the management and superintendence of the same, and shall submit accounts of such receipts and expenditure once in every year to the Local Government in such form and manner as the Local Government may direct.

Board may appoint subordinate establishment.

12. The Board may, from time to time, appoint all such overseers, clerks, subordinate officers, and servants as they shall think necessary and proper to assist in carrying out the purposes of this Act; and may, from time to time, remove any of such persons and appoint others in their place.

Power to make rules.

13. The Board may, with the sanction of the Local Government, from time to time, make such rules consistent with the purposes of this Act as they think necessary for any of the following purposes; that is to say—

(*a*) for regulating the times when the Board shall meet, and the procedure to be observed at their meetings;

(*b*) for the preservation, repair, and when necessary the removal of existing monuments, and for regulating the dimensions of new monuments in any burial-ground under their charge;

(*c*) for regulating the scale and mode of payment of fees, charges, and other dues in respect of interments in any burial-ground, and for the expenditure of the same;

(*d*) for directing the manner in which, and the persons by whom, all works within any such burial-ground shall be executed; and

(*e*) for otherwise carrying out the purposes of this Act.

(2) And may, from time to time, with the sanction aforesaid, vary, alter, or revoke any such rules so made.

(3) All rules so made, and variations, alterations, or revocations of rules, shall be published in the *Calcutta Gazette*.

Power to provide for control of burial-grounds used by other than Christians or Muhammadans.

14. The Local Government may constitute the three members of the Board enumerated in section four, a Board for the superintendence, management, or control of public burial-grounds used for the interment of persons other than Christians or Muhammedans, and may place under the Board the Chota Gobra Gorastan specified in the Second Schedule as well as such portions of public Muhammadan burial-grounds as may be excluded from the control of the Muhammadan Burial Board, under section six, and any other similar burial-grounds which the Local Government may from time to time think it expedient to place under the Board, and the Board so constituted shall exercise the same powers with regard to such burial-grounds as are vested in the Muhammadan Burial Board by sections eleven, twelve, and thirteen of this Act.

FIRST SCHEDULE.

(See Section 6.)

Schedule of Public Muhammadan burial-grounds placed under superintendence, management, or control of Board.

(1). Chopdar Bagan burial-ground, No. 54, Upper Circular Road, and Nos. 26 and 27, Manioktollah. Area of public portion, 3 bighas, 12 cottahs, 3 chittacks, more or less.

(2). Meah Bagan burial-ground, Nos. 52 and 53, Manicktollah. Area of public portion, 3 bighas, 1 cottah, 7 chittacks, more or less.

(3). Khodadad's burial-ground, No. 15, Moonsheepara Lane. Area, 4 bighas, 18 cottahs, 7 chittacks, more or less.

(4). Rahim-ud-deen Moonshie's burial-ground, No. 20, Canal Road West. Area, 5 bighas, 16 cottahs, 7 chittacks, more or less.

(5). Gobra Gorastan, No. 1 Gobra Road. Area, 6 bighas, more or less.

(6). Talbagan burial-ground, No. 6, Tiljullah, 1st Lane. Area, 10 bighas, 11 cottahs, more or less.

(7). Talbagan Khoyratee Gorastan, No. 7, Tiljullah, 1st Lane. Area, more or less, 1 bigha, 3 cottahs.

(8) New Kasiabagan burial-ground, Tiljullah, 1st Lane. Area of Muhammadan portion 12 bighas, more or less.

(9). Sola-anna Kobrastan, No. 70, Ekbalpore Road. Area, 17 bighas, 18 cottahs, more or less.

(10). Moonshee Ahmud Begg Ke Kobrastan, Halsu Talao, Ramnugger Lane. Area, 4 bighas, more or less.

SECOND SCHEDULE.

(See Section 14.)

Chota Gobra Gorastan placed under superintendence, management, or control of Board constituted under section 14.

Chota Gobra Gorastan, Nos. 11 and 13, Gobra Gorastan Road. Area, 2 bighas, 5 cottahs, more or less.

E. A. G.—Reg. No. 515G—2,500—16-9-89